

Catawba County Emergency Medical Services
Health Insurance Portability and Accountability Act Policy and Procedure

Denial of Request for Access to Protected Health Information

Dear **[INSERT REQUESTOR'S NAME]**:

We have reviewed your request to have access to certain protected health information (PHI) maintained by Catawba County EMS. Unfortunately, we are unable to grant your request for access to this information.

The basis for this denial is that:

1. ____ The information you request was compiled in reasonable anticipation of, or use in, a civil, criminal or administrative action or proceeding;
2. ____ The information you requested was obtained from someone other than a health care provider under confidentiality and the access requested would be reasonably likely to reveal the confidential source of the information.

The denials for reasons #1 or #2 are final and you may not appeal the decision to deny access to the information.

3. ____ A licensed health care professional has determined, in the exercise of professional judgment, that the access requested is reasonably likely to endanger the life or physical safety of the patient or another person;
4. ____ The protected health information makes reference to another person (other than a health care provider) and a licensed health professional has determined, in the exercise of professional judgment, that the access requested is reasonably likely to cause substantial harm to that person;
5. ____ The request for access is made by you as a personal representative of the individual about whom you are requesting the information, and a licensed health professional has determined, in the exercise of professional judgment, that access by you is reasonably likely to cause harm to the individual or another person.

Denials of access for reasons #3, #4, or #5 may be reviewed in accordance with the Review Procedures described herein.

Review Procedures

If the denial of your request for access to PHI is for reasons #3, 4 or 5, you may request a review of the denial of access.

Catawba County EMS will designate a licensed health professional, who was not directly involved in the denial, to review the decision to deny you access. Catawba County EMS will promptly refer your request to this designated review official. The review official will determine, within a reasonable period of time, whether the denial is appropriate. Catawba County EMS will provide you with written notice of the determination of the designated reviewing official.

You may also file a complaint in accordance with the enclosed complaint procedures if you are not satisfied with our determination.

Sincerely,

David Weldon, Director
Catawba County Emergency Services